Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 1 of 38

B1 (Official	Form 1)(1/	08)				oarriorr		tg0 ± 0.	00			
United States Bankruptcy C Northern District of Illinois						,			Vo	oluntary Petition		
Name of Do Baez, Ti	*	ividual, ent	er Last, First	, Middle):			Namo	e of Joint Do	ebtor (Spouse	) (Last, First	, Middle):	
	All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):							used by the J maiden, and			8 years	
Last four dig (if more than	one, state all)	Sec. or Indi	vidual-Taxp	ayer I.D. (	(ITIN) No./	Complete E	IN Last	four digits ore than one, s	f Soc. Sec. or state all)	Individual-	Гахрауег I	I.D. (ITIN) No./Complete EIN
Street Addre	ess of Debto verbend L	`	Street, City,	and State)	):	ZIP Code		t Address of	f Joint Debtor	(No. and St	reet, City,	and State):
						60586						
County of R Will	Residence or	of the Prin	cipal Place o	of Busines	s:		Coun	ty of Reside	ence or of the	Principal Plan	ace of Bus	siness:
Mailing Add	dress of Deb	otor (if diffe	rent from str	reet addres	ss):		Maili	ng Address	of Joint Debt	or (if differe	nt from str	reet address):
					_	ZIP Code	;					ZIP Code
I agation of	Dein ain al. A	anata of Dua	inasa Dahta									
Location of (if different				I								
		f Debtor				of Business	3		•	•		e Under Which
		organization) one box)		□ Hea	Check Ith Care Bu	one box)		☐ Chapt		Petition is Fi	led (Chec	k one box)
■ Individu	ıal (includes	Joint Debte	ors)	Sing	gle Asset R	eal Estate as	s defined	☐ Chapt				Petition for Recognition
	ibit D on pa		,	Rail	1 U.S.C. § lroad	101 (31 <b>b</b> )	Chapter 11 Chapter 12				Ü	n Main Proceeding Petition for Recognition
☐ Corpora		es LLC and	LLP)	☐ Stockbroker ☐ Commodity Broker				Chapt		_		1 Nonmain Proceeding
☐ Partners				☐ Clea	aring Bank	okci						
	f debtor is not s box and stat			Oth		4 TF 4*4					e of Debts k one box)	3
					(Check box	empt Entity k, if applicabl	e)		are primarily co	onsumer debts,		Debts are primarily
				und	er Title 26	exempt org of the Unite nal Revenu	d States	"incuri	d in 11 U.S.C. § red by an indivi- onal, family, or	idual primarily		business debts.
		Filing F	ee (Check o	ne box)			Chec	k one box:		Chapter 11	Debtors	
Full Fili	•											in 11 U.S.C. § 101(51D). ned in 11 U.S.C. § 101(51D).
attach si	gned applic	ation for the	nents (applic e court's con	sideration	certifying t	hat the deb	tor	k if:				debts (excluding debts owed
		-	nstallments. l				٠.   <u>_</u>	to insider	s or affiliates)			
			oplicable to c e court's con					Acceptan	being filed w	n were solici	ted prepet	tition from one or more
G: .1 .1 .1/1								classes of	creditors, in			.S.C. § 1126(b).
Statistical/A  Debtor 6			l <b>ation</b> l be available	e for distri	bution to u	nsecured cr	editors.			THIS	SPACE IS	S FOR COURT USE ONLY
			exempt proj for distribut				ive expens	es paid,				
Estimated N	Number of C	reditors										
1- 49	50- 99	100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A		_		_						1		
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,000 to \$500	1 \$500,000,001 to \$1 billion				
Estimated L	iabilities		million	million	million	million	million			1		
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,000 to \$500 million	1 \$500,000,001 to \$1 billion				

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main

Document Page 2 of 38

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Baez, Tina M (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Date Filed: Location Where Filed: Northern District of Illinois 03-B-30622 7/23/03 Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition.  $\mathbf{X}$  \_/s/ Colin C. Banyon # July 25, 2008 Signature of Attorney for Debtor(s) (Date) Colin C. Banyon # 6278958 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08)

Page 3 of 38

Name of Debtor(s): Baez, Tina M

Voluntary 1	Petition
-------------	----------

(This page must be completed and filed in every case)

### Signatures

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Tina M Baez

Signature of Debtor Tina M Baez

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

July 25, 2008

Date

# Signature of Attorney\*

X /s/ Colin C. Banyon #

Signature of Attorney for Debtor(s)

Colin C. Banyon # 6278958

Printed Name of Attorney for Debtor(s)

Legal Helpers, PC

Firm Name

Sears Tower

233 S. Wacker Suite 5150

Chicago, IL 60606

Address

(312) 467-0004 Fax: (312) 467-1832

Telephone Number

July 25, 2008

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

# Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 4 of 38

Official Form 1, Exhibit D (10/06)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Tina M Baez		Case No.	
		Debtor(s)	Chapter	13

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I recounseling agency approved by the United States trustee or bankruptcy administrated opportunities for available credit counseling and assisted me in performing a related certificate from the agency describing the services provided to me. Attach a copy of any debt repayment plan developed through the agency.	tor that outlined the d budget analysis, and I have a
□ 2. Within the 180 days <b>before the filing of my bankruptcy case</b> , I recounseling agency approved by the United States trustee or bankruptcy administrated opportunities for available credit counseling and assisted me in performing a related have a certificate from the agency describing the services provided to me. You must from the agency describing the services provided to you and a copy of any debt rethrough the agency no later than 15 days after your bankruptcy case is filed.	tor that outlined the d budget analysis, but I do not t file a copy of a certificate
□ 3. I certify that I requested credit counseling services from an approved obtain the services during the five days from the time I made my request, and the forcircumstances merit a temporary waiver of the credit counseling requirement so I conow. [Must be accompanied by a motion for determination by the court.][Summa here.]	ollowing exigent an file my bankruptcy case

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management plan developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period. Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

# Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 5 of 38

# Official Form 1, Exh. D (10/06) - Cont.

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial
responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Tina M Baez
Tina M Baez
Date: July 25, 2008

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 6 of 38

B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Tina M Baez		Case No		
_		Debtor	-,		
			Chapter	13	
			<u> </u>		

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	155,898.00		
B - Personal Property	Yes	3	15,255.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		191,033.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		25,873.02	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			3,471.32
J - Current Expenditures of Individual Debtor(s)	Yes	1			2,996.00
Total Number of Sheets of ALL Schedules		14			
	T	otal Assets	171,153.00		
			Total Liabilities	216,906.02	

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 7 of 38

Form 6 - Statistical Summary (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Tina M Baez		Case No.	
_		Debtor	,	
			Chapter	13

# STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C.  $\S$  159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0.00
Student Loan Obligations (from Schedule F)	6,524.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	6,524.00

#### State the following:

Average Income (from Schedule I, Line 16)	3,471.32
Average Expenses (from Schedule J, Line 18)	2,996.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	3,957.76

#### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		22,605.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		25,873.02
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		48,478.02

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Page 8 of 38 Document

B6A (Official Form 6A) (12/07)

In re	Tina M Baez	Case No.	
-		Dukan,	
		Debtor	

# SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Prop  2727 Riverbend Ln	Prty Nature of Debtor's Interest in Property  fee simple	Wife, Joint, or Community	Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
	Natura of Dahtar's	Husband,	Current Value of Debtor's Interest in	Amount of

Sub-Total > 155,898.00 (Total of this page)

155,898.00 Total >

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 9 of 38

B6B (Official Form 6B) (12/07)

In re	Tina M Baez	Case No.
-		Debtor

# SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband Wife, Joint, or Communit	Debtor's Interest in Property,
1.	Cash on hand	X			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	Chec	ring account with Mid America Bank	-	1,600.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, including audio, video, and computer equipment.	Misce	llaneous used household goods	-	400.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	Misce	llaneous books, tapes, CD's etc.	-	25.00
6.	Wearing apparel.	Perso	nal Used Clothing	-	700.00
7.	Furs and jewelry.	Χ			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Life Insurance through employer - no cash nder value	-	0.00
10.	Annuities. Itemize and name each issuer.	X			
				Sub-Total of this page	

2 continuation sheets attached to the Schedule of Personal Property

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Page 10 of 38 Document

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Tina M Baez	Case No.
		Debtor

# SCHEDULE B - PERSONAL PROPERTY

			(Continuation Sheet)		
	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Debtor's Interest in Property, without Deducting any
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	Χ			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
				Sub-To (Total of this page	

Sheet 1 of 2 continuation sheets attached to the Schedule of Personal Property

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 11 of 38

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Tina M Baez	Case No.
-		,

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22.	Patents, copyrights, and other intellectual property. Give particulars.	Х			
23.	Licenses, franchises, and other general intangibles. Give particulars.	Х			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and	20	03 Mazda Protoge5 with 66,000 miles	-	5,630.00
	other vehicles and accessories.	20	02 Kia Sedona	-	6,900.00
26.	Boats, motors, and accessories.	Χ			
27.	Aircraft and accessories.	Χ			
28.	Office equipment, furnishings, and supplies.	Χ			
29.	Machinery, fixtures, equipment, and supplies used in business.	Χ			
30.	Inventory.	Χ			
31.	Animals.	Χ			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	Χ			
34.	Farm supplies, chemicals, and feed.	Χ			
35.	Other personal property of any kind not already listed. Itemize.	X			

 $\begin{tabular}{ll} Sub-Total > & 12,530.00 \\ (Total of this page) & \end{tabular}$ 

Total >

15,255.00

Sheet  $\underline{2}$  of  $\underline{2}$  continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 12 of 38

B6C (Official Form 6C) (12/07)

In re	Tina M Baez	Case No.
		Debtor

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:	☐ Check if debtor claims a homestead exemption that exceeds
(Check one box)	\$136,875.
□ 11 U.S.C. §522(b)(2)	
■ 11 U.S.C. §522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Real Property 2727 Riverbend Ln	735 ILCS 5/12-901	0.00	155,898.00
Checking, Savings, or Other Financial Accounts, Cert Checking account with Mid America Bank	ificates of Deposit 735 ILCS 5/12-1001(b)	1,600.00	1,600.00
Household Goods and Furnishings Miscellaneous used household goods	735 ILCS 5/12-1001(b)	400.00	400.00
Books, Pictures and Other Art Objects; Collectibles Miscellaneous books, tapes, CD's etc.	735 ILCS 5/12-1001(b)	25.00	25.00
Wearing Apparel Personal Used Clothing	735 ILCS 5/12-1001(a)	700.00	700.00
Automobiles, Trucks, Trailers, and Other Vehicles 2003 Mazda Protoge5 with 66,000 miles	735 ILCS 5/12-1001(c)	2,400.00	5,630.00

Total: 5,125.00 164,253.00

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 13 of 38

B6D (Official Form 6D) (12/07)

In re	Tina M Baez	Case No.
		Debtor ,

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGEN	LIQUI	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxxxxxx7768			Opened 10/03/06 Last Active 10/09/07	Т	D A T E D			
Bank of America Mortgage Attn: Bankruptcy Dept 475 Crosspoint Parkway Getzville, NY 14068		-	Mortgage 2727 Riverbend Ln					
	L		Value \$ 155,898.00				169,999.00	14,101.00
Account No. xxx-xx-2273			2007					
Citifinancial Auto PO Box 9575 Coppell, TX 75019	Х	-	Purchase Money Security 2002 Kia Sedona					
			Value \$ 6,900.00				13,000.00	6,100.00
Account No. xxxx7779			Opened 5/13/06 Last Active 2/20/08					
Mazda Amer Cr Po Box 537901 Livonia, MI 48153		-	pmsi 2003 Mazda Protoge5 with 66,000 miles					
			Value \$ 5,630.00	1			8,034.00	2,404.00
Account No.			Value \$				,	,
continuation sheets attached		•	S (Total of t	Sub his			191,033.00	22,605.00
	Total (Report on Summary of Schedules)						191,033.00	22,605.00

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 14 of 38

B6E (Official Form 6E) (12/07)

•				
In re	Tina M Baez		Case No.	
-		Debtor		

# SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

also on the Statistical Summary of Certain Liabilities and Related Data.  Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not enti priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts reported also on the Statistical Summary of Certain Liabilities and Related Data.	
Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.	
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)	
Domestic support obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).	relativ
□ Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment trustee or the order for relief. 11 U.S.C. § 507(a)(3).	ent of a
Wages, salaries, and commissions  Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).	
☐ Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of but whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).	usines
☐ Certain farmers and fishermen  Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).	
☐ Deposits by individuals  Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).	ot
☐ Taxes and certain other debts owed to governmental units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).	
☐ Commitments to maintain the capital of an insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the F Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).	<sup>7</sup> ederal
☐ Claims for death or personal injury while debtor was intoxicated  Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).	•

<sup>\*</sup> Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 15 of 38

R6F	Official	Form	(F)	(12/07)

In re	Tina M Baez		Case No	
-		Debtor		

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITORIC NAME	С	Ни	sband, Wife, Joint, or Community		С	U	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	H W H	DATE CLAIM WAS INCURRED A CONSIDERATION FOR CLAIM. IF C IS SUBJECT TO SETOFF, SO STA	LAIM	ONTINGENT	UNLIQUIDATED		AMOUNT OF CLAIM
Account No. xxxxxxxx5613			Opened 7/14/04 Last Active 9/19/07 CreditCard		Ť	T E D		
Capital 1 Bank Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091		-						4,263.00
Account No. xxxxxxxxxxxx1001			Opened 8/01/07 Last Active 9/24/07					
Capital One Auto Finance 3901 N Dallas Pkwy Plano, TX 75093		-	2005 Cadillac CTS with 37,000 miles					11,620.02
Account No. xxxxxxx7320  Citi Corp Credit Services Attn: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195		-	Opened 9/17/04 Last Active 10/18/07 Educational					3,317.00
Account No. xxxxxxx7321	╁		Opened 9/17/04 Last Active 10/18/07					0,017.00
Citi Corp Credit Services Attn: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195		-	Educational					3,207.00
_1 continuation sheets attached				S (Total of th		tota pag		22,407.02

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 16 of 38

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

In re	Tina M Baez	Case No
		Debtor

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	Ç	Ų	Ţ	Þ	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UZLLQULDAFED		S P U T E D	AMOUNT OF CLAIM
Account No. xxxxxxxx2912			Opened 7/20/07 Last Active 9/19/07	Т	T E			
Direct Merchants Bank Attn: Bankruptcy Dept Po Box 5246 Carol Stream, IL 60197		-	CreditCard		D			1,305.00
Account No. xxxxxx1567			Opened 7/01/95 Last Active 8/01/99			T	7	
First Card/Chase USA Card Member Services Po Box 15298 Wilmington, DE 19850		-	CreditCard					
								1,973.00
Account No. xxxxxxxx8255  GEMB / Walmart Attention: Bankruptcy Po Box 103106 Roswell, GA 30076	-	-	Opened 12/04/07 ChargeAccount					
Noswell, GA 30070								188.00
Account No.	-							
Account No.						T		
Sheet no1 of _1 sheets attached to Schedule of		_		Subt			Ţ	3,466.00
Creditors Holding Unsecured Nonpriority Claims			(Total of t				ŀ	·
			(Report on Summary of So		ota lule		- 1	25,873.02

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 17 of 38

B6G (Official Form 6G) (12/07)

In re	Tina M Baez	Case No.
-		Debtor ,

# SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

■ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 18 of 38

B6H (Official Form 6H) (12/07)

In re	Tina M Baez	Case No.
-		, , , , , , , , , , , , , , , , , , ,
		Dehtor

# **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Arturo Baez 14162 S. Napa Circle Plainfield, IL 60544	Citifinancial Auto PO Box 9575 Coppell, TX 75019

# Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 19 of 38

B6I (Official Form 6I) (12/07)

In re	Tina M Baez		Case No.	
		Debtor(s)		

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

D 1	DEDENIN	ENTS OF DEBTOR	AND CDC	MICE		
Debtor's Marital Status:				JUSE		
Single	RELATIONSHIP(S): Son		AGE(S):			
Employment:*	DEBTOR			SPOUSE		
Occupation	Artist					
Name of Employer	Michael Todd Salon & Spa					
How long employed	5 months					
Address of Employer	2860 Show Place Dr Naperville, IL 60504					
*See Attachment for Addition	nal Employment Information					
	ge or projected monthly income at time case filed)			DEBTOR		SPOUSE
	y, and commissions (Prorate if not paid monthly)		\$	3,266.00	\$	0.00
2. Estimate monthly overtime			\$	0.00	\$	0.00
3. SUBTOTAL			\$	3,266.00	\$	0.00
4. LESS PAYROLL DEDUCT	TONS					
<ul> <li>a. Payroll taxes and socia</li> </ul>	l security		\$	604.00	\$	0.00
b. Insurance			\$	0.00	\$	0.00
c. Union dues			\$	0.00	\$	0.00
d. Other (Specify):			\$	0.00	\$	0.00
-			\$	0.00	\$	0.00
5. SUBTOTAL OF PAYROLL	DEDUCTIONS		\$	604.00	\$	0.00
6. TOTAL NET MONTHLY T	CAKE HOME PAY		\$	2,662.00	\$	0.00
7. Regular income from operat	ion of business or profession or farm (Attach detail	ed statement)	\$	0.00	\$	0.00
8. Income from real property	Total of Custiness of Profession of Immi (Financia detuni	od statement,	\$	0.00	\$	0.00
9. Interest and dividends			\$	0.00	\$	0.00
10. Alimony, maintenance or s	upport payments payable to the debtor for the debto	or's use or that of	· <u></u>		· <del></del>	
dependents listed above			\$	522.32	\$	0.00
11. Social security or governments			ф	207.00	ф	0.00
(Specify): Food Star	nps		\$ —	287.00	\$	0.00
12 P			ъ <u> </u>	0.00	ъ <u> </u>	0.00
<ul><li>12. Pension or retirement incor</li><li>13. Other monthly income</li></ul>	me		<u>э</u> —	0.00	<b>э</b>	0.00
(Specify):			\$	0.00	\$	0.00
(Specify).			\$ <del></del>	0.00	\$ <del></del>	0.00
			<u> </u>	0.00		
14. SUBTOTAL OF LINES 7	THROUGH 13		\$	809.32	\$	0.00
15. AVERAGE MONTHLY IN	NCOME (Add amounts shown on lines 6 and 14)		\$	3,471.32	\$	0.00
16. COMBINED AVERAGE N	MONTHLY INCOME: (Combine column totals from	m line 15)		\$	3,471.3	2

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Case 08-19165	Doc 1	Filed 07/25/08	Entered 07/25/08 12:51:26	Desc Main
36I (Official Form 6I) (12/07)		Document	Page 20 of 38	

In re	Tina M Baez		Case No.	
		Debtor(s)		

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

Attachment for Additional Employme	nt Information
------------------------------------	----------------

Debtor		
Occupation	Need	
Name of Employer	Riaz A Barber	
How long employed	4 Months	
Address of Employer	1460 Bond St, Suite 130	
	Naperville, IL 60563	

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 21 of 38

B6J	(Official	<b>Form</b>	<b>6J</b> )	(12/07)
-----	-----------	-------------	-------------	---------

In re	Tina M Baez		Case No.	
		Debtor(s)		

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and t case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly	y rate. The	
expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 2	22C.	
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comp expenditures labeled "Spouse."	olete a separ	ate schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	1,341.00
a. Are real estate taxes included? Yes X No No No		
b. Is property insurance included? Yes X No No		
2. Utilities: a. Electricity and heating fuel	\$	250.00
b. Water and sewer	\$	30.00
c. Telephone	\$	150.00
d. Other Cable/Internet	\$	70.00
3. Home maintenance (repairs and upkeep)	\$	70.00
4. Food	\$	400.00
5. Clothing	\$	50.00
6. Laundry and dry cleaning	, ——	32.00 60.00
7. Medical and dental expenses 8. Transportation (not including car payments)	э ——	300.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	° ——	0.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	Ψ	0.00
a. Homeowner's or renter's	\$	0.00
b. Life	\$ <del></del>	0.00
c. Health	\$	0.00
d. Auto	\$	130.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	· ·	
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	0.00
b. Other	\$ <del></del>	0.00
c. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Personal Grooming Hair Cuts	\$	60.00
Other Automobile Repair Maintenance	\$	53.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	2,996.00
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:	L	
20. STATEMENT OF MONTHLY NET INCOME	_	
a. Average monthly income from Line 15 of Schedule I	\$	3,471.32
b. Average monthly expenses from Line 18 above	\$	2,996.00
c. Monthly net income (a. minus b.)	\$	475.32

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 22 of 38

B6 Declaration (Official Form 6 - Declaration). (12/07)

# United States Bankruptcy Court Northern District of Illinois

In re	i ina ivi Baez			Case No.	
			Debtor(s)	Chapter	13
	DECLARATI	ION CONCERN	ING DEBTOR	'S SCHEDUL	ES
	DECLARATION U	NDER PENALTY (	OF PERJURY BY II	NDIVIDUAL DEI	BTOR
	I declare under penalty of p  16 sheets, and that they are true				
Date	July 25, 2008	Signature	/s/ Tina M Baez Tina M Baez Debtor		

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 23 of 38

B7 (Official Form 7) (12/07)

# United States Bankruptcy Court Northern District of Illinois

In re	Tina M Baez		Case No.	
		Debtor(s)	Chapter	13

# STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

# 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

\$51,033.00	SOURCE Joint Employment income - 2006 actual income from IRS tax transcripts
\$17,191.00	Employment income - 2007 actual income from IRS tax transcripts
\$20,612.67	Employment Income - 2008 Y.T.D

# 2. Income other than from employment or operation of business

None 

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

SOURCE **AMOUNT** 

\$3,133.92 Non-Employment income (Child Support) - 2008 - Y.T.D.

#### 3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS DATES OF AMOUNT STILL AMOUNT PAID OF CREDITOR **PAYMENTS OWING** 

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**AMOUNT** DATES OF PAID OR PAYMENTS/ VALUE OF AMOUNT STILL NAME AND ADDRESS OF CREDITOR **TRANSFERS** TRANSFERS **OWING** 

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

AMOUNT STILL **OWING** 

2

4. Suits and administrative proceedings, executions, garnishments and attachments

None

None

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT STATUS OR COURT OR AGENCY AND CASE NUMBER NATURE OF PROCEEDING AND LOCATION DISPOSITION

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF **PROPERTY** 

### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER Capital One Auto Finance 3901 N Dallas Pkwy Plano, TX 75093 DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN Jan 11 2008

DESCRIPTION AND VALUE OF PROPERTY 2005 Cadillac CTS

### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

NAME AND ADDRESS OF ASSIGNEE

ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND LOCATION OF COURT

CASE TITLE & NUMBER

DATE OF ORDER

DESCRIPTION AND VALUE OF

3

PROPERTY

#### 7. Gifts

NAME AND ADDRESS

OF CUSTODIAN

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION

RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

# 8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case.** (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS
OF PAYEE
Legal Helpers
20 W. Kinzie
13th Floor
Chicago, IL 60610

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 2008 AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
\$3500 (\$500 paid pre-petition,

4

\$3,000 paid in plan) Attorney's fees \$150.00

service fee in conjunction with the due dilligence fee (detailed

below).

Credit Infonet 4540 Honeywell Ct Dayton, OH 45424-5760 2008 \$124.00

for the due diligence package which includes: credit

counseling, debtor education, 3 credit reports, tax transcripts, post discharge credit repair and other documentation services.

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 27 of 38

# 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY

NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS DATE OF TRANSFER OR SURRENDER, IF ANY

5

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

### 14. Property held for another person

None List all property owned by another person that the debtor holds or controls.

DESCRIPTION AND VALUE OF **PROPERTY** 

LOCATION OF PROPERTY

#### 15. Prior address of debtor

None 

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** 3439 Brenton Dr, Joliet IL 60431

NAME AND ADDRESS OF OWNER

NAME USED

DATES OF OCCUPANCY Dec 2005 to March 2006

### 16. Spouses and Former Spouses

None 

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME Arturo Baez

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

# Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 28 of 38

None a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and,

if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL

SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which

the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO.

TAXPAYER-I.D. NO. BEGINNING AND (ITIN)/ COMPLETE EIN ADDRESS NATURE OF BUSINESS ENDING DATES

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

NAME ADDRESS

# DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date July 25, 2008

Signature /s/ Tina M Baez
Tina M Baez
Debtor

 $Penalty for \ making \ a \ false \ statement: Fine \ of \ up \ to \ \$500,000 \ or \ imprisonment for \ up \ to \ 5 \ years, or \ both. \ 18 \ U.S.C. \ \$\$ \ 152 \ and \ 3571 \ and \ statement \ sta$ 

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 30 of 38

United States Bankruptcy Court	
Northern District of Illinois	

In re	Tina M Baez				Case No.	
				Debtor(s)	Chapter	13
	DIS	CLOSURE (	OF COMPENSA	ATION OF ATTOR	NEY FOR DI	EBTOR(S)
	compensation paid to	me within one ye	ear before the filing of		or agreed to be pai	the above-named debtor and that id to me, for services rendered or to follows:
	For legal service	es, I have agreed t	o accept		. \$	3,500.00
	Prior to the filin	g of this statemen	t I have received		. \$	500.00
	Balance Due				. \$	3,000.00
2.	The source of the cor	mpensation paid to	o me was:			
		Debtor		Other (specify):		
3.	The source of compe	nsation to be paid	to me is:			
		Debtor		Other (specify):		
5.	A copy of the agr In return for the abova. Analysis of the dob. Preparation and fc. Representation of d. [Other provisions	reement, together re-disclosed fee, I bettor's financial si- iling of any petition the debtor at the as needed]	with a list of the name have agreed to render tuation, and rendering on, schedules, stateme meeting of creditors a	es of the people sharing in the legal service for all aspects	of the bankruptcy rmining whether t may be required; d any adjourned he	case, including: o file a petition in bankruptcy; earings thereof;
6.	By agreement with the	ne debtor(s), the a	_	es not include the following		•
			C	ERTIFICATION		
	I certify that the fore pankruptcy proceeding		e statement of any ag	reement or arrangement for p	payment to me for	representation of the debtor(s) in
Dated	d: July 25, 2008			/s/ Colin C. Banyon Colin C. Banyon # 6 Legal Helpers, PC Sears Tower 233 S. Wacker Suite	278958	

Chicago, IL 60606

(312) 467-0004 Fax: (312) 467-1832

# RIGHTS AND RESPONSIBILITIES AGREEMENT BETWEEN CHAPTER 13 DEBTORS AND THEIR ATTORNEYS (Model Retention Agreement, revised as of May 1, 2007)

Chapter 13 gives debtors important rights, such as the right to keep property that could otherwise be lost through repossession or foreclosure—but Chapter 13 also puts burdens on debtors, such as the burden of making complete and truthful disclosures of their financial situation. It is important for debtors who file a Chapter 13 bankruptcy case to understand their rights and responsibilities in bankruptcy. In this connection, the advice of an attorney is often crucial. Debtors are entitled to certain services from by their attorneys, but debtors also have responsibilities to their attorneys. In order to assure that debtors and their attorneys understand their rights and responsibilities in the Chapter 13 process, the judges of the Bankruptcy Court for the Northern District of Illinois have approved the following agreement, setting out the rights and responsibilities of both debtors in Chapter 13 and their attorneys. By signing this agreement, debtors and their attorneys accept these responsibilities.

# BEFORE THE CASE IS FILED

# THE DEBTOR AGREES TO:

- 1. Discuss with the attorney the debtor's objectives in filing the case.
- 2. Provide the attorney with full, accurate and timely information, financial and otherwise, including properly documented proof of income.

### THE ATTORNEY AGREES TO:

- 1. Personally counsel the debtor regarding the advisability of filing either a Chapter 13 or a Chapter 7 case, discuss both procedures (as well as non-bankruptcy options) with the debtor, and answer the debtor's questions.
- 2. Personally explain to the debtor that the attorney is being engaged to represent the debtor on all matters arising in the case, as required by Local Bankruptcy rule and explain how and when the attorney's fees and the trustee's fees are determined and paid.
- 3. Personally review with the debtor and sign the completed petition, plan, statements, and schedules, as well as all amendments thereto, whether filed with the petition or later. (The schedules may be initially prepared with the help of clerical or paralegal staff of the attorney's office, but personal attention of the attorney is required for the review and signing.)
- 4. Timely prepare and file the debtor's petition, plan, statements, and schedules.

- 5. Explain to the debtor how, when, and where to make all necessary payments, including both payments that must be made directly to creditors and payments that must be made to the Chapter 13 trustee, with particular attention to housing and vehicle payments.
- 6. Advise the debtor of the need to maintain appropriate insurance.

# AFTER THE CASE IS FILED

#### THE DEBTOR AGREES TO:

- 1. Make the required payments to the trustee and to whatever creditors are being paid directly, or, if required payments cannot be made, to notify the attorney immediately.
- 2. Appear punctually at the meeting of creditors (also called the "341 meeting") with recent proof of income and a picture identification card. (If the identification card does not include the debtor's social security number, the debtor will also bring to the meeting a social security card.) The debtor must be present in time for check-in and when the case is called for the actual examination.
- 3. Notify the attorney of any change in the debtor's address or telephone number.
- 4. Inform the attorney of any wage garnishments or liens or levies on assets that occur or continue after the filing of the case.
- 5. Contact the attorney immediately if the debtor loses employment, has a significant change in income, or experiences any other significant change in financial situation (such as serious illness, marriage, divorce or separation, lottery winnings, or an inheritance).
- 6. Notify the attorney if the debtor is sued or wishes to file a lawsuit (including divorce).
- 7. Inform the attorney if any tax refunds to which the debtor is entitled are seized or not received when due from the IRS or Illinois Department of Revenue.
- 8. Contact the attorney before buying, refinancing, or selling real property, and before entering into any loan agreement.
- 9. Supply the attorney with copies of all tax returns filed while the case is pending.

# THE ATTORNEY AGREES TO:

- 1. Advise the debtor of the requirement to attend the meeting of creditors, and notify the debtor of the date, time, and place of the meeting.
- 2. Inform the debtor that the debtor must be punctual and, in the case of a joint filing, that both spouses must appear at the same meeting.

- 3. Provide knowledgeable legal representation for the debtor at the meeting of creditors (in time for check-in and the actual examination) and, unless excused by the trustee, for the confirmation hearing.
- 4. If the attorney will be employing another attorney to attend the 341meeting or any court hearing, personally explain to the debtor in advance, the role and identity of the other attorney and provide the other attorney with the file in sufficient time to review it and properly represent the debtor.
- 5. Timely submit to the Chapter 13 trustee properly documented proof of income for the debtor, including business reports for self-employed debtors.
- 6. Timely respond to objections to plan confirmation and, where necessary, prepare, file, and serve an amended plan.
- 7. Timely prepare, file, and serve any necessary statements, amended statements and schedules and any change of address, in accordance with information provided by the debtor.
- 8. Monitor all incoming case information (including, but not limited to, Order Confirming Plan, Notice of Intent to Pay Claims, and 6-month status reports) for accuracy and completeness. Contact the trustee promptly regarding any discrepancies.
- 9. Be available to respond to the debtor's questions throughout the term of the plan.
- 10. Prepare, file, and serve timely modifications to the plan after confirmation, when necessary, including modifications to suspend, lower, or increase plan payments.
- 11. Prepare, file, and serve necessary motions to buy or sell property and to incur debt.
- 12. Object to improper or invalid claims.
- 13. Timely respond to the Chapter 13 trustee's motions to dismiss the case, such as for payment default, or unfeasibility, and to motions to increase the percentage payment to unsecured creditors.
- 14. Timely respond to motions for relief from stay.
- 15. Prepare, file, and serve all appropriate motions to avoid liens.
- 16. Provide any other legal services necessary for the administration of the case.
- 17. In the event that the case is converted to Chapter 7, provide any other legal services which may be necessary consistent with the attorney's responsibilities under Local Bankruptcy Rule 2090-5, with such additional fees as may be appropriate.

### ALLOWANCE AND PAYMENT OF ATTORNEYS' FEES

1. Any attorney retained to represent a debtor in a Chapter 13 case is responsible for representing the debtor on all matters arising in the case unless otherwise ordered by the court. For all of the services outlined above, the attorney will be paid a fee of

\$ \_\_3,500.00

In extraordinary circumstances, such as extended evidentiary hearings or appeals, the attorney may apply to the court for additional compensation for these services. Any such application must be accompanied by an itemization of the services rendered, showing the date, the time expended, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified of the right to appear in court to object.

- 2. Early termination of the case. Fees payable under the provisions set out above are not refundable in the event that the case is dismissed, unless the dismissal is due to a failure by the attorney to comply with the duties set out in this agreement. If a dismissal is due to such a failure by the attorney, the court may order a refund of fees on motion by the debtor.
- 3. *Retainers*. The attorney may receive a retainer or other payment before filing the case, but may not receive fees directly from the debtor after the filing of the case. In any application for fees, whether or not requiring an itemization, the attorney shall disclose to the court any fees paid by the debtor prior to the case filing.
- 4. *Improper conduct by the attorney*. If the debtor disputes the sufficiency or quality of the legal services provided or the amount of the fees charged by the attorney, the debtor may file an objection with the court and request a hearing.
- 5. *Improper conduct by the debtor*. If the attorney believes that the debtor is not complying with the debtor's responsibilities under this agreement or is otherwise not engaging in proper conduct, the attorney may apply for a court order allowing the attorney to withdraw from the case.
- 6. Discharge of the attorney. The debtor may discharge the attorney at any time.

Date:		
Signed:		
/s/ Tina M Baez	/s/ Colin C. Banyon #	
Tina M Baez	Colin C. Banyon # 6278958	
	Attorney for Debtor(s)	
Debtor(s)  Do not sign if the fee amount at top of		

this page is blank.

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

# 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

# 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

# Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured

Case 08-19165 Doc 1 Filed 07/25/08 Entered 07/25/08 12:51:26 Desc Main Document Page 36 of 38

**B 201** (04/09/06)

Colin C. Banyon # 6278958

Printed Name of Attorney

obligations.

# **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

# Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

# 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

# **Certificate of Attorney**

X /s/ Colin C. Banyon #

Signature of Attorney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Address:							
Sears Tower							
233 S. Wacker Suite 5150							
Chicago, IL 60606							
(312) 467-0004							
Certificate of Debtor							
I (We), the debtor(s), affirm that I (we) have received and read this notice.							
Tina M Baez	X /s/ Tina M Baez	July 25, 2008					
Printed Name(s) of Debtor(s)	Signature of Debtor	Date					
Case No. (if known)	X						
	Signature of Joint Debtor (if any)	Date					

July 25, 2008

Date

# **United States Bankruptcy Court**Northern District of Illinois

Northern District of Illinois							
In re	Tina M Baez	Debtor(s)	Case No. Chapter	13			
	VI	ERIFICATION OF CREDITOR M	<b>IATRIX</b>				
		Number of	Creditors:	12			
	The above-named Debtor(s (our) knowledge.	) hereby verifies that the list of credit	ors is true and o	correct to the best of my			
Date:	July 25, 2008	/s/ Tina M Baez Tina M Baez Signature of Debtor					

Tina M BaezCase 08-19165 Doc 1 2727 Riverbend Ln Plainfield, IL 60586

Colin C. Banyon # Legal Helpers, PC Sears Tower 233 S. Wacker Suite 5150 Chicago, IL 60606 Mazda Amer Cr Po Box 537901 Livonia, MI 48153

Arturo Baez 14162 S. Napa Circle Plainfield, IL 60544

Bank of America Mortgage Attn: Bankruptcy Dept 475 Crosspoint Parkway Getzville, NY 14068

Capital 1 Bank Attn: C/O TSYS Debt Management Po Box 5155 Norcross, GA 30091

Capital One Auto Finance 3901 N Dallas Pkwy Plano, TX 75093

Citi Corp Credit Services Attn: Centralized Bankruptcy Po Box 20507 Kansas City, MO 64195

Citifinancial Auto PO Box 9575 Coppell, TX 75019

Direct Merchants Bank Attn: Bankruptcy Dept Po Box 5246 Carol Stream, IL 60197

First Card/Chase USA Card Member Services Po Box 15298 Wilmington, DE 19850